

## **REMARKS**

The entry of this amendment is made to reflect the priority claim in the text of the specification. Please note that the correct priority was provided by Applicants in the Declaration. Applicants also hereby amend the specification to provide a copyright notice indicating that Applicants do not object to the facsimile reproduction of the patent document or the patent disclosure as it appears in the Patent and Trademark Office patent files or records, but otherwise reserve all copyright rights whatsoever. The disclosure of the specification has not been substantively altered, nor has any new matter been added.

In the Office Action dated June 1, 2004, the Examiner rejects pending claims 1 through 16 under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 6,640,230 to Alexander, et al. (hereinafter "Alexander") in view of U.S. Patent No. 5,948,040 to DeLorme, et al. (hereinafter "DeLorme").

Independent claim 1 of the present invention is directed towards a system for performing searches across user defined events for an arbitrary geographic region or regions. The system comprises an event data structure comprising one or more user defined events, each event associated with a zip code, a zip list processor operative to receive a zip code and a distance value, which are used to calculate a zip list comprising all zip codes geographically located within the distance value from the zip code, and an event list generator to receive the zip list and query the event data structure to retrieve events associated with zip codes contained in the zip list.

By contrast, neither Alexander nor DeLorme teaches or suggests the elements of independent claim 1. Alexander discusses a system and method for preparing "customized responses to incoming events (such as incoming electronic mail,

voice calls, instant messages, etc.).” Abstract. Events in the calendar of Alexander are arranged according to a multi-level hierarchy comprising context events at an upper level of the hierarchy and specific events at a lower level of the hierarchy. Col. 3, lns. 25-32. Context and specific events are used to determine an appropriate automatic response to an incoming event. Col. 7, ln. 33 – Col. 8, ln. 7. A Context event provides a context for where a user is located, for example, in the office, working at home, vacation, holiday, etc. Col. 8, lns. 24-35. Specific events occur within a context defined by a context event and may override or refine that context event. Col. 9, lns. 32-34. These events, context and specific, are used by calendar-driven personal assistant applications to determine how to respond to an incoming event, “for example, the manner in which a calendar owner can be most immediately contacted may be defined as an attribute of context and specific events. . . . By understanding the hierarchy of event types, the application can automatically adapt to switch to using the specific event contact information for the duration of that event and then switch back to using the context event contact information.” Col. 10, lns. 21-49.

DeLorme discusses a “computerized travel reservation information and planning system [“TRIPS”] that generates “map ticket” output in various media for guidance and transaction en route.” Abstract. TRIPS “permits a user to custom-define and examine a travel route and/or plans based upon answers to questions.” Col. 6, lns. 56-60. “A TRIPS database . . . contains geographically locatable objects (loc/objects), attachments of supplemental points of interest (POIs), and attachments of scheduled events of interest (EOIs).” Col. 8, lns. 5-10. TRIPS uses the database to relate “points of interest and any other loc/objects of the database with particular locations on or near the

surface of the earth in terms of coordinate locations such as latitude and longitude,” Col. 8, lns. 27-30, which may relate to a travel route. The travel planer previews the route, POIs and EOIs long the route, making changes and selections as necessary. Col. 9, lns. 3-47.

The combination of Alexander and DeLorme fails to teach or suggest a system for performing searches across user defined events for an arbitrary geographic region or regions as claimed. Applicants respectfully disagree that Alexander teaches or suggest the elements of an event list data structure comprising one or more user defined events, each event associated with a zip code, or an event list generator to receive a zip list and query the event data structure to retrieve events associated with zip codes contained in the zip list. As discussed above, Alexander discusses context and specific events that personal assistant software uses to automatically generate a response to an incoming event. There is not teaching or suggestion that either the context or specific events are each associated with a zip code. Furthermore, there is no teaching or suggestion in Alexander of an event list generator. Contrary to the Examiner’s assertion, Alexander is silent regarding receiving a zip list and querying the event data structure to retrieve events associated with zip codes contained in the zip list. This is to be expected, as events in Alexander are not associated with zip code, but rather a calendar user’s context.

Applicants further respectfully disagree with the Examiner’s conclusion that DeLorme teaches or suggest a zip list processor. Indeed, DeLorme is silent regarding receiving a zip code and a distance value that are used to calculate a zip list comprising all zip codes geographically located within the distance value form the zip

code. At most, DeLorme discusses the use of a GIS to relate points of interest with particular locations, as well as attachments of POIs and EOIs, that are selected according a route that a travel planner selects. As such, DeLorme fails to teach or suggest a zip list processor that receives a zip code and a distance value to calculate a zip list comprising all zip code geographically located within the distance value from the zip code. The combination of Alexander and DeLorme therefore fails to teach or suggest the elements of independent claim 1. Applicants respectfully request withdrawal of the rejection and allowance of independent claim 1.

In addition to the combination of Alexander and DeLorme failing to teach or suggest the elements of independent claim 1, there is no motivation to combine Alexander and DeLorme. Alexander describes systems and methods for personal assistant software to determine the context of a calendar user and provide an appropriate automatic response to an incoming event, such as an electronic mail message or voice mail. DeLorme , by contrast, discusses a system that allows a user to define waypoints of a route for a trip, as well as reservations and similar actions regarding points and events of interest along the route. There is no suggestion in either specification how one of skill in the art would use the systems and methods for providing automatic responses to events described in Alexander with the system for trip planning described in DeLorme. Indeed, it is Applicants position that there is no motivation to combine Alexander and DeLorme as the references discuss solutions to unrelated problems.

Independent claim 9 is essentially the same as independent claim 1 except that it is directed to a method rather than a system. Applicants assert that independent claim 9 is allowable over Alexander in view of DeLorme for at least the same reasons provided

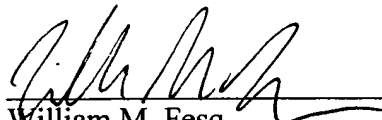
with regard to independent claim 1. Applicants respectfully request withdrawal of the rejection and allowance of independent claim 9.

The dependent claims of the present application contain additional features that further substantially distinguish the invention of the present application over the prior art of record. Given the Applicants' position on the patentability of the independent claims, however, it is not deemed necessary at this point to delineate such distinctions.


For at least all of the above reasons, Applicants respectfully request that the Examiner withdraw all rejections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the Examiner is invited to call the Applicants' to discuss any issues relating to this application.

Date: 2/21/05

Respectfully submitted,

  
\_\_\_\_\_  
William M. Fesq  
143 Crane Circle  
New Providence, NJ 07974  
(908) 508-1608

I hereby certify that this paper is being deposited this date with the  
U.S. Postal Service as First Class Mail addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria,  
VA 22313-1450

  
\_\_\_\_\_  
William M. Fesq

2/21/05  
\_\_\_\_\_  
Date